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17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN FRANCISCO DIVISION

20 ASETEK DANMARK A/S

21 Plaintiff,

22 v.  
23

24 NEWEGG INC., NEWEGG NORTH  
25 AMERICA INC.,

Defendants.

CASE NO. 3:16-CV-07068-JST

**JOINT STIPULATION TO AMEND  
CASE SCHEDULE; [PROPOSED]  
ORDER**

1 Plaintiff Asetek Danmark A/S (“Asetek”) and Defendants Newegg Inc. and Newegg North  
 2 America Inc. (“Newegg”) jointly stipulate, with the Court’s permission, to amend the Case Schedule  
 3 (Dkt. No.34), as provided in the table below.

4 The patents-in-suit in this action (U.S. Patent Nos. 8,240,362 and 8,245,764) are the same as  
 5 the patents-in-suit in *Asia Vital Components Co. Ltd. v. Asetek Danmark A/S*, Case No. 3:16-cv-  
 6 07160-JST (“the *AVC* case”), in which this Court entered a case schedule last week that set dates  
 7 through the claim construction hearing. The schedules in this case and the *AVC* case are different,  
 8 with the claim construction hearing in this case set for October 16, 2017, and the claim construction  
 9 hearing in the *AVC* case set for November 7, 2017. In order to provide the parties additional time to  
 10 engage in their ongoing settlement negotiations and efforts to informally resolve this case (and ADR  
 11 if needed), and recognizing the benefit to the Court in holding construction hearings in both cases on  
 12 the same date, the parties respectfully request and stipulate that the Court modify the schedule in the  
 13 current case as provided below (to generally track the schedule in the *AVC* case), and so that the  
 14 claim construction hearing in this case is set for the date as in the *AVC* case, as provided below:

<b>Event</b>	<b>Current Schedule</b>	<b>Proposed Schedule</b>
Stipulated ESI order or competing proposed ESI orders due	March 29, 2017	April 28, 2017
Infringement Contentions & Accompanying Production	April 05, 2017	May 15, 2017
Invalidity Contentions & Accompanying Production	May 19, 2017	May 30, 2017
Exchange of Terms for Construction	June 02, 2017	June 13, 2017
Exchange of Preliminary Constructions and Extrinsic Evidence	June 23, 2017	August 4, 2017
Damages Contentions	July 07, 2017	August 08, 2017
Joint Claim Construction & Prehearing Statement	July 18, 2017	August 15, 2017
Deadline to amend the pleadings	July 26, 2017	August 15, 2017
Responsive Damages Contentions	August 04, 2017	September 07, 2017
Claim construction discovery cut-off	August 17, 2017	September 14, 2017
Asetek’s Opening Claim Construction Brief	September 01, 2017	September 22, 2017

Newegg's Responsive Claim Construction Brief	September 15, 2017	October 6, 2017
Asetek's Reply Claim Construction Brief	September 22, 2017	October 13, 2017
Claim construction hearing	October 16, 2017 at 2:00 p.m.	November 7, 2017 at 1:30 p.m.

Although the Court's schedule for this action included deadlines for various events following claim construction and through trial, the parties respectfully stipulate and suggest that those dates be vacated and that new dates for same be set following receipt of the claim construction order in this action.

Respectfully submitted,

Dated: March 27, 2017

**FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP**

By: /s/ Robert F. McCauley  
Robert F. McCauley

*Attorneys for Plaintiff  
Asetek Danmark A/S*

Dated: March 27, 2017

## LITIGATION LAW GROUP

By: /s/ Gordon M. Fauth, Jr.  
Gordon M. Fauth Jr.

## *Attorneys for Defendants*

*Newegg Inc. and Ne*

Newegg Inc. and Newegg North America, Inc.

## ATTESTATION

I, Robert F. McCauley, hereby attest that concurrence in the filing of the document has been obtained from counsel for Newegg Inc. and Newegg North America, Inc.

Dated: March 27, 2017

**FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP**

By: /s/ Robert F. McCauley  
Robert F. McCauley

*Attorneys for Plaintiff  
Asetek Danmark A/S*

## [PROPOSED] ORDER

Pursuant to the parties' stipulation, the parties' stipulation is GRANTED. The Court adopts the parties' schedule as set forth in the Stipulation above, and VACATES all dates following the claim construction hearing in the Court's prior scheduling Order in this action (Dkt 34).

## **IT IS SO ORDERED**

Dated: \_\_\_\_\_

Honorable Jon S. Tigar  
United States District Judge  
Northern District of California